

Appn. No. 10/807,663

Attorney Docket No. 10541-1952

II Remarks

In response to the Office Action mailed September 7, 2005, kindly enter the foregoing amendment and consider the following remarks.

In this response, claims 10 and 16 have been amended and claims 1-24 are pending and are at issue herein. Favorable consideration of this response in the application is respectfully requested.

RESTRICTION BETWEEN METHOD AND PRODUCT

The Examiner has imposed a restriction and requires election between Invention I (claims 1-17) and Invention II (claims 18-24). The Examiner notes that Inventions I and II are related as process of making and product made.

The Applicants provisionally elect Invention I corresponding to claim 1-17 and drawn to an ignition coil.

The Applicants respectfully traverse the restriction requirement inasmuch as it would not impose a serious burden on the Examiner, which is one of the requirements recited in MPEP § 803. Specifically, the Examiner is required to conduct a thorough search of the prior art. MPEP § 904. The Applicants assert a thorough search for the ignition coil (classified in class 336, subclass 90), should therefore also include a search of methods of constructing an ignition coil (classified if class 29, subclass 602.1). That is, patents classified in the apparatus class may disclose methods of constructing, and patents classified in the method of constructing class may disclose the resulting structure of the Ignition coil. Accordingly, as the Examiner would likely be searching both classes regardless of the election. For these reasons, the Applicants respectfully request reconsideration of the restriction requirement.



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ELECTION BETWEEN SPECIES

The Examiner has imposed a restriction and requires election between the species of Embodiment 1 (FIGS. 1-3) and the species of Embodiment 2 (FIG. 4).

The Applicants respectfully submit that claims 1-6 and 13-17 are generic to both of the identified species, that claims 7-9 and 11-12 correspond to Embodiment 2 in FIG. 4, and that claim 10 corresponds to Embodiment 1 and FIGS. 1-3.

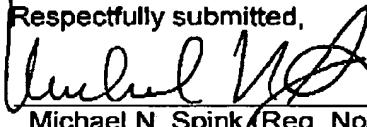
The Applicants provisionally elect the species identified as Embodiment 2 and FIG. 4, which corresponds to generic claims 1-6, 13-17 and species claims 7-9 and 11-12.

The Applicants traverse the restriction between Embodiments 1 and 2 inasmuch as it does not impose a serious burden on the Examiner to include the features of dependent claim 10 in the search, especially inasmuch as the Examiner will be searching on dependent claim 12. Reconsideration is respectfully requested.

CONCLUSION

In view of the preceding amendments and remarks, the Applicants respectfully submit that the specification is in order and that all of the claims are now in condition for allowance. If the Examiner believes that personal contact would be advantageous to the disposition of this case, the Applicants respectfully request that the Examiner contact the Attorney of the Applicants at the earliest convenience of the Examiner.

10/5/05
Date

Respectfully submitted,

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